

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-20066 of 2020

Date of decision: September 23, 2020

Jabbi @ Jabid

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Jamshed Ahmed, Advocate for the petitioner.

Mr. S.S. Mann, Additional Advocate General, Haryana.

Ashok Kumar Verma, J.(oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.103 dated 20.06.2020, registered at Police Station Bichhor, District Nuh, under Sections 5/13 (2) of The Haryana Govansh Sanrakshan and Gausamvardhan Act, 2015 and Section 188 of IPC.

Learned State counsel (on the instructions from ASI Balbir Singh) submits that the petitioner has joined the investigation and is no longer required for custodial interrogation.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, the petitioner alongwith co-accused were transporting 7 oxen for the purpose of

slaughtering. The co-accused namely Mukesh was arrested at the spot, who disclosed the name of the petitioner.

In pursuance of the interim order dated 23.07.2020 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 23.07.2020, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

However, nothing stated above shall constitute my opinion on merits of the case.

(ASHOK KUMAR VERMA)
JUDGE

September 23, 2020
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No